



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILED RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/DOCKET NUMBER
10 024,167	12 18 2001	Alfred E. Keller	1856-09501



Joanna K. Payne  
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RECEIVED  
MAR 04 2002  
Oscar R. Martinez

CONFIRMATION NO. 5731

## FORMALITIES LETTER



\*OC00000007523497\*

Date Mailed: 02/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number



# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

Application Number	10/024,167
Filing Date	December 18, 2001
First Named Inventor	Alfred E. Keller, et al
Group Art Unit	1754
Examiner Name	Not yet assigned

Attorney Docket Number 1856-09501 (98/002)

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment (for an application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):  <i>Copy of Notice to File Missing Parts and Acknowledgment Postcard</i>
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual Name	Carol G. Mintz CONLEY ROSE & TAYON
Signature	<i>Carol G. Mintz</i>
Date	March <u>21</u> , 2002 cgm

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: March 21, 2002.

Typed or Printed Name	Cathy Lamb
Signature	<i>Cathy Lamb</i>
Date	March <u>21</u> , 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.

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# FEE TRANSMITTAL For FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$ 130.00

## Complete if Known

Application Number	10/024,167
Filing Date	December 18, 2001
First Named Inventor	Alfred E. Keller
Examiner Name	Not yet assigned
Group Art Unit	1754
Attorney Docket No.	1856-09501 (98/002)

## METHOD OF PAYMENT

- The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:  
Deposit Account Number: 03-2769  
Deposit Account Name: Conley, Rose & Tayon, P.C.
- Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status.  
See 37 CFR 1.27

**Payment Enclosed:**  
 Check     Credit Card     Money Order     Other Order

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	\$130.00
127	50	Surcharge - late provisional filing fee or cover sheet	\$
139	130	Non-English specification	\$
147	2,520	For filing a request for <i>ex parte</i> reexamination	\$
112	920*	Requesting publication of SIR prior to Examiner action	\$
113	1,840*	Requesting publication of SIR after Examiner action	\$
115	110	Extension for reply within first month	\$
116	400	Extension for reply within second month	\$
117	920	Extension for reply within third month	\$
118	1,440	Extension for reply within fourth month	\$
128	1,960	Extension for reply within fifth month	\$
119	320	Notice of Appeal	\$
120	320	Filing a brief in support of an appeal	\$
121	280	Request for oral hearing	\$
138	1,510	Petition to institute a public use proceeding	\$
140	110	Petition to revive - unavoidable	\$
141	1,280	Petition to revive - unintentional	\$
142	1,280	Utility issue fee (or reissue)	\$
143	460	Design issue fee	\$
144	620	Plant issue fee	\$
122	130	Petitions to the Commissioner	\$
123	50	Petitions related to provisional applications	\$
126	180	Submission of Information Disclosure Stmt	\$
581	40	Recording each patent assignment per property (times number of properties)	\$
146	740	Filing a submission after final rejection (37 CFR § 1.129(a))	\$
149	740	For each additional invention to be examined (37 CFR § 1.129(b))	\$
179	740	Request for Continued Examination (RCE)	\$
169	900	Request for expedited examination of a design application	\$
Other fee (specify)			\$

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$130.00

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	Utility filing Fee	\$
106	330	Design filing fee	\$
107	510	Plant filing fee	\$
108	740	Reissue filing fee	\$
114	160	Provisional filing fee	\$

SUBTOTAL (1) \$

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
*	*	- 20**	= 18.00	= \$
Independent	*	3**	= * x	84.00 = \$
Claims				
Multiple Dependent			280.00	= \$ 0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent Claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	** Reissue independent claims over original patent
110	18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

\*\* or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Complete if applicable

Name (Print/Type)	Carol G. Mintz	Registration No. (Attorney/Agent)	38,561	Telephone	(713) 238-8000
Signature	<i>Carol G. Mintz</i>			Date	March 21, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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